

16 MISC 0217

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

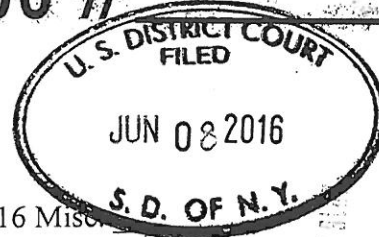
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IN RE:

PETITIONS UNDER 28 U.S.C. §§ 2255 and 2241
IN LIGHT OF *JOHNSON V. UNITED STATES*

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DOC # 1



STANDING ORDER

In light of the United States Supreme Court decision in *Johnson v. United States*, 135 S.Ct. 2551 (2015) and the fact that several hundred petitions will be filed by federal prisoners seeking relief under 28 U.S.C. §§ 2255 and 2241 before the one-year anniversary of the decision on June 27, 2016, this order is issued to facilitate the orderly administrative of justice.

As agreed by the United States Attorney's Office and the Federal Defenders of New York (who were appointed to represent eligible prisoners in a previous Standing Order, 15 Misc. 373), and in order to afford the effective representation of counsel, to allow the Court of Appeals to clarify the application of *Johnson* to particular issues so that the District Court may render consistent rulings, and to avoid the District Court and the parties from being overwhelmed by the filing of hundreds of habeas petitions on this issue at one time, the Federal Defenders of New York and other counsel appointed for *Johnson* matters under the Criminal Justice Act, will be permitted to file initial petitions under 28 U.S.C. § 2255 on or before June 27, 2016, utilizing the Court's form petition as a "placeholder" petition. The petitions are to be supplemented on a future date by a brief that more fully sets forth the basis for the requested relief. It is further

suggested that individual judges defer any consideration of such petitions until the filing of the supplemental or until a briefing schedule is requested by a party or parties.

Dated: June 8, 2016
New York, New York

A handwritten signature in black ink, appearing to read "Colleen R. McLaughlin", written over a horizontal line.

Hon.
Chief, U.S. District Judge
Southern District of New York